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SEP 29 2008

In re Application of	:	OFFICE OF PETITIONS
Edward W. Merrill, et al.	:	
Application No. 09/764,445	:	DECISION ON PETITION
Filed: January 19, 2001	:	TO WITHDRAW
Attorney Docket No. 37697-0033	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 29, 2008.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Leslie B. Overman on behalf of all attorneys of record. All attorneys/agents have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

The request to change the correspondence of record is not acceptable as the requested correspondence address is not that of: (1) the first named signing inventor; or (2) an intervening assignee of the entire interest under 37 C.F.R. 3.71. All future communications from the Office will be directed to the first named signing inventor at the first copied address below until otherwise properly notified by the applicant.

There is an outstanding Office action mailed August 6, 2008 that requires a reply from the applicant.

Telephone inquiries concerning this decision should be directed to Terri Williams at 571-272-2991.

(Signature)

Terri Williams
Petitions Examiner
Office of Petitions

cc: **Edward W. Merrill**
90 Somerset Street
Belmont, MA 02378

cc: **Proskauer Rose LLP**
1001 Pennsylvania Ave., N.W.
Suite 400 South
Washington, DC 20004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/764,445	01/19/2001	Edward W. Merrill	37697-0033

CONFIRMATION NO. 8881
POWER OF ATTORNEY NOTICE

26633
HELLER EHRMAN LLP
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San Diego, CA 92122



OC000000032308563

Date Mailed: 09/26/2008

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/29/2008.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/tswilliams/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101